

together, the positioning of each content type relative to each other should be checked to minimize the interference between the two types of content.

Accordingly, applicants claim systems and methods for applying a set of rules that emulate a set-top box. This emulation allows developers to check the layout using a computer. The emulator also examines the interactive content to determine a color that is not being used by the interactive content. This color is assigned to be a transparent color. The location of the video content in the enhanced content program is then determined and this location is identified by setting this location to the transparent color. In this manner, the video content can be located in a transparent box identified by a color not used in the interactive content. Since the color used to identify the transparent box is not used in the interactive content, the location of the interactive content can be clearly distinguished from the location of the video content.

Gordon relates to a program guide that is displayed on the set-top box. See column 2, lines 34-39. Accordingly, Gordon does not relate to an emulator that mimics the functions of a set top box as claimed--rather Gordon relates to programming on an actual set-top box. Since Gordon does not describe or suggest the claimed emulator, the rejection of claims 1-5 should be withdrawn.

In addition, Gordon fails to disclose or suggest several additional claim elements. For instance, as previously described, applicants claim "examining said interactive content to select a color that is not being use by said interactive content" and "assigning said color as a transparent color." These features are not found in Gordon. Furthermore, the Examiner has not asserted that Gordon discloses these features. Accordingly, the rejection of claims 1-5 should be withdrawn for this additional reason.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is

determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **577172001200**.

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Respectfully submitted,

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